REMARKS

Claims 1-14 are all the claims pending in the application, including new claim 14.

Claims 1, 2, 7 an 8 are objected to, because of an informality.

Claims 3, 4, 9, 10 and 13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 1 and 7 are rejected under 35 U.S.C. § 102(e) as being anticipated by Shimazaki (US 6,396,595). Claims 3 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimazaki in view of Holub (US 6,043,909).

Claim 13 would be allowable if amended to overcome the § 112 rejection.

Claims 4 and 10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and amended to overcome the § 112 rejection.

Claims 2, 5, 6, 8, 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant amends the paragraph of the specification bridging pages 12 and 13, as suggested by the Examiner to correct the recitation of the term "dot."

Also, claims 1, 2, 7 and 8 are amended to change "converging" to "converting."

Regarding the rejection of claims 3, 4, 9 and 10 as allegedly being indefinite, Applicant respectfully submits that these claims are definite as currently recited. Claim 1 recites generating the conversion table for converting the image data D into the image data D' while saving an <u>area</u>

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percentage of an image of black produced from only the image data K by said first device, at the

image data K = 0 % or 100 %. By contrast, each of claims 3, 4, 9, and 10 recites establishing the

conversion table so as to save a <u>density</u> of the image of black produced from only the image data

K by the first device, in a range except the image data K = 0 % or 100 % at which the area

percentage of the image is saved. In other words, claim 1 differs from each of claims 3, 4, 9 and

10 in that claim 1 refers to the area percentage of an image of black produced from the image

data K = 0 % or 100 %, while claims 3, 4, 9, and 10 refer to the density of the image of black

produced from the range of the image data K except K = 0 % or 100 %. Further, each of claims

1, 3, 4, 9 and 10 recites *the* conversion table, not a number of different conversion tables. Thus,

the recitations of these claims are definite and do not conflict with each other.

For the rejection of claim 13, Applicant amends claim 13 to change "and" to "or" as

recited in the present specification.

Turning to the prior art, Applicant has the following comments.

Applicant submits that Shimazaki does not teach or suggest the feature of claim 1 of

generating the conversion table for converting said image data D into said image data D' while

saving an area percentage of an image of black produced from only said image data K by said

first device, at said image data K = 0 % or 100 %. More specifically, the reference does not

disclose saving an area percentage of an image of black produced from only the image data K by

the first device. In this regard, the Examiner refers to col. 4, lines 35-40 of Shimazaki. The cited

excerpt states the following:

> *The test chart data comprise 7 halftone dot % data at 17% intervals from*
> *0 to 100% for each of the color image data C, M, Y and 21 halftone dot % data at*

5% intervals for the color image data K, and hence comprise a total of 7^3 +21 test chart data.

Applicant submits that the cited portion of Shimazaki describes a test chart generator using a K plate function of f(C,M,Y). The data is used in intermediary form to provide a final color chart of C,M,Y rather than image data including K data.

However, even if the Examiner's assertion that this excerpt is consistent with page 9 of Applicant's specification is assumed to be correct, the cited excerpt still fails to disclose saving an area percentage of an image of black produced from only the image data K by the first device. Instead, the excerpt describes the test chart data, without reference to saving an area percentage of an image of black produced from only the image data K by the first device. Therefore, claim 1 is not anticipated by claim 1.

Claim 7 is not anticipated by Shimazaki for reasons analogous to those for claim 1.

For the rejection of claim 3 and 9 over Shimazaki in view of Holub, Applicant submits that due to the common assignment of the present application and Shimazaki, the use of Shimazaki in an obviousness type rejection is inappropriate. In this regard, the present application and the invention of Shimazaki were subject to an obligation of assignment to Fuji Photo Film Co., Ltd., at least as of the time the present invention was made. Thus, Applicant hereby removes Shimazaki as a reference, thereby overcoming the rejection. Moreover, Holub does not correct the above deficiencies in the rejection over Shimazaki.
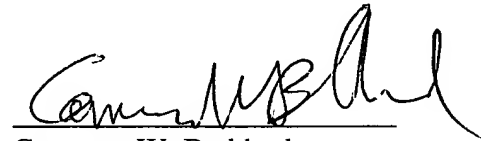
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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